

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Joseph Banko, et al.

v.

Civil No. 08-00095-JL

Town of Alton, et al.

O R D E R

The Preliminary Pretrial Conference was held in chambers on May 7, 2008.

The Discovery Plan (document #10) is approved as submitted.

By agreement of the parties, the following are **stricken**:

- Hackett's affirmative defense #6 (comparative negligence);
- Barnstead/McDowell's affirmative defense #6 (late notice of state law claims);
- Alton's affirmative defense C (statute of limitations/laches), D (waiver/release), E (res judicata/collateral estoppel), and F (late notice of state law claims).

SO ORDERED.

  
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Joseph N. Laplante  
United States District Judge

Dated: May 7, 2008

cc: Richard J. Lehmann, Esq.  
Andrew B. Livernois, Esq.  
Charles P. Bauer, Esq.  
Brian J.S. Cullen, Esq.  
William G. Scott, Esq.